REASONS FOR GRANTING THE WRIT

When one is in the unfortunate position of having to petition the Supreme Court of the United States for a Writ of Certiorari, one is in the position of the condemned having to appeal to Caesar; and when one has to appeal to Caesar one has nothing to lose: life has already been lost Therefore, one can speak freely.

By striking the Petition of the Petitioner (see Appendix "A" where the Petition is printed) from the files, the Supreme Court of Ohio legalized *a racket*.

That in itself is reason enough to grant this Petition for Certiorari; to reverse summarily the judgment of the Supreme Court of Ohio; and to remand this case back to the Supreme Court of Ohio with directions to order this case heard on the merits.

CONCLUSION

WHEREFORE, Petitioner prays that a Writ of Certiorari be granted as prayed for.

All of which is respectfully submitted by,

MELVIN EDWARD SCHAENGOLD
500-502 Keith Bldg.
Cincinnati 2, Ohio
Attorney for Petitioner

APPENDIX "A"

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

No. A183100

ALFRED J. HAUSFELD, 6549 Baywood Lane, Cincinnati, Ohio,

Plaintiff,

vs.

ROBERT N. ZIEGLER, 2213-2216 Carew Tower, Cincinnati, Ohio, Or 7850 Indian Hill Road, Indian Hill, Cincinnati, Ohio,

Defendant.

PETITION

Now comes Alfred J. Hausfeld, plaintiff herein, and for his cause of action against the defendant herein, says as follows, to-wit:

At all times mentioned herein the defendant was, and still is, an Attorney and Counsellor at Law, duly licensed to practice his profession in all of the Courts of Record of the State of Ohio.

On or about November 28, 1936, the plaintiff herein married one Sylvia Hausfeld at Cincinnati, Ohio, and did live happily with her as man and wife up to and about June 19, 1957.

On or about June 19, 1957, marital discord arose between plaintiff and the said Sylvia Hausfeld; the said

Sylvia Hausfeld left plaintiff and went to defendant to obtain legal counsel for the purposes of obtaining a divorce from plaintiff.

To protect his rights in the premises plaintiff employed one Nicholas Bauer who was then and who still is an Attorney and Counsellor at Law duly licensed to practice his profession in all of the Courts of Record of the State of Ohio.

At all times mentioned herein the plaintiff was attempting to seek a reconciliation with the said Sylvia Hausfeld, who still had affection for plaintiff.

On September 24, 1957, the defendant willfully, maliciously and without any reasonable or probable cause for so doing and with the intent of preventing a reconciliation between plaintiff and his wife, so that defendant's attorney fee would be increased, advised the said Nicholas Bauer by letter dated September 24, 1957, that he, the defendant, had advised the said Sylvia Hausfeld to neither seek a divorce from the plaintiff nor to reconcile with the plaintiff, nor to permit plaintiff to return to the marital home unless plaintiff submitted to psychiatric treatment, there being no reason for plaintiff to submit to such treatment.

As the proximate result of the aforesaid malicious and willful acts of the defendant, the said Sylvia Hausfeld refused to allow plaintiff to return to the marital home; the attempt of plaintiff to seek a reconciliation with the said Sylvia Hausfeld was destroyed; the affection which the said Sylvia Hausfeld had previously had for plaintiff was alienated; and the said Sylvia Hausfeld did divorce plaintiff on May 21, 1959, thereby damaging plaintiff in the premises in the sum of Fifty Thousand ($50,000.00) Dollars actual damages, and in the sum of Fifty Thousand ($50,000.00) Dollars punitive damages making a total of One Hundred Thousand ($100,000.00) Dollars damages in all.

WHEREFORE, plaintiff prays for judgment against the defendant herein in the sum of One Hundred Thousand ($100,000.00) Dollars; for his costs herein expended; for the allowance of attorney's fees in a reasonable amount; for an Order of this Honorable Court commanding the defendant to answer, in writing and under oath, the Interrogatories attached hereto which are pertinent to the issues herein; and for all other relief, both general and equitable, to which the plaintiff may appear to be entitled.

All of which is respectfully submitted by,

MELVIN SCHAENGOLD,
500-502 Keith Building,
Cincinnati 2, Ohio
Attorney for Plaintiff.

STATE OF OHIO :
SS
HAMILTON COUNTY :

ALFRED J. HAUSFELD, having been first duly cautioned and sworn, deposes and says that he is the plaintiff herein, and that the facts stated and matters contained in the foregoing Petition are true as he verily believes. Further affiant saith not.

.....

Sworn to before me, signed and acknowledged in my presence this 13th day of June, 1961.

MELVIN SCHAENGOLD
Notary Public State of Ohio.
My commission expires August 21, 1962.

PRAECIPE

TO THE CLERK:

Please issue summons on the within Petition to the defendant named therein, returnable according to law. Endorse: "ACTION FOR DAMAGES FOR ALIENATION OF AFFECTIONS; AMOUNT CLAIMED $100,000.00, COSTS, ALLOWANCE OF ATTORNEY'S FEES AND OTHER RELIEF."

MELVIN SCHAENGOLD
Attorney for Plaintiff
500-502 Keith Bldg.
Cincinnati 2, Ohio.

INTERROGATORY

1. Did you write a letter, dated September 24, 1957, to Mr. Nicholas Bauer, Attorney at Law, Second National Bank Bldg., Cincinnati 2, Ohio, in which you said: "She has been advised not to permit him to return to the home unless and until both psychiatrists agree that he has improved sufficiently and has demonstrated an attitude of cooperation which would justify such a reconciliation."

(Duly Certified)